(13)

CA 1/2

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

MISCELLANEOUS APPEAL NO. 799 2004

APPELLANT
CLAIMANT

(1) Smt Thileshwari Bai Widow of Omprakash Giri, Goswami Aged about-25 years
(2) Smt. Dulari Bai Widow Late Krishna Giri Goswami Aged about – 43 years,
(3) Kumari Dhatri Goswami D/o Omprakash Giri Goswami Aged about – 2 & ½ years
Abvoe all are Residence of Gurumukh Nagar, Pachpedi Naka – Raipur, Tahsil & Distt – Raipur

VERSUS

RESPONDENT
NON-APPLICANT

(1) **Prabhu Singh S/o Bhuneshwar Singh** Thakur, Through : M/s Okhla Engg. Pvt. Ltd., Plot No. 77 Rawan Bhata, Raipur, Police Station – Khamatrai, Distt – Raipur C. G.
(2) M/s Okasa **Engg. Pvt Ltd. Plot No. 77** Rawan Bhata – Raipur, Police Station– Khamatrai, Tahsil & Distt – Raipur C.G.
(3) The National Manager, National Insurance Company Limited, G.E. Road, Raipur C.G.

P. R No. 12491/04 dated 13/12/04 Presented by Shri S.C. Verma

Miscellaneous Appeal under section 173 Motor Vehicle Act 1988

XI-HC-22

(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A. No. 799/04 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Division Bench :
Hon'ble Shri A.K. Patnaik, C.J. &
Hon'ble Shri Fakhruddin, J.
15-03-2005

This is an appeal against the judgment and award passed by the First Additional Motor Accident Claims Tribunal, Raipur, in claim case No.61/2003 delivered on 7-2-2004, filed by the appellants/claimants.

During pendency of the appeal I.A.No.701/2005 under Order 23 Rule 3 of the Code of Civil Procedure has been filed stating therein that a compromise has been entered into by the appellants/ claimants with the respondent No.3/National Insurance Company Limited whereunder the respondent No.3/National Insurance Company Limited is to pay a further amount of Rs.1,00,000/- to the appellants/claimants in addition to the amount already paid pursuant to the impugned award. The application is supported by an affidavit filed by appellant/ claimant No.1, on behalf of the appellants/claimants.

Mr. S.C. Verma, learned counsel for the appellants and Mr. Anand Gupta, learned counsel appearing for respondent No.3/ National Insurance Company Limited admit the terms of the compromise as indicated in the said application under Order 23 Rule 3 of the Code of Civil Procedure.

This appeal is therefore disposed of in terms of the said compromise as indicated in the application under Order 23

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A. No. 799/2004 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Rule 3 of the Code of Civil Procedure. The amount of Rs.1,00,000/- (Rupees One Lac Only) shall be paid by the respondent No.3/National Insurance Company Limited to the appellants/claimants within one month from today. The application under Order 23 Rule 3 of the Code of Civil Procedure will form a part of this order. The impugned award/judgment stands modified accordingly.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

pathak

(पीछे देखिये)

18.3.05 9/4/05 13.2.06